



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

---

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236  
Website Address: [www.morgan-hill.ca.gov](http://www.morgan-hill.ca.gov) / Email: [General@ch.morgan-hill.ca.gov](mailto:General@ch.morgan-hill.ca.gov)

## PLANNING COMMISSION

TUESDAY, JANUARY 13, 2009

CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA

### COMMISSIONERS

CHAIR, SUSAN KOEPP-BAKER  
VICE-CHAIR, COMMISSIONER WAYNE TANDA  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER RALPH LYLE  
COMMISSIONER JOSEPH H. MUELLER  
VACANT

REGULAR MEETING - 7:00 P.M.

### \*\*\* A G E N D A \*\*\*

### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** December 9 and 10, 2008; and December 16, 2008 Workshop

**PUBLIC HEARINGS:**

- 1) **USE PERMIT, UP-08-11: BARRETT-COLSON & COLSON:** A request for approval of a conditional use permit for the construction and operation of a 138-suite congregate care retirement residence approximately 115,600-sf in size located near the northwest corner of Barrett Ave. and Butterfield Blvd. on a 5.3-acre site in a R3(PD) zoning district.

**Recommendation:** Reopen Public Hearing/Adopt Resolution approving use permit request.

- 2) **DEVELOPMENT AGREEMENT AMENDMENT, DAA-06-02C/DEVELOPMENT SCHEDULE AMENDMENT, DSA 07-14B: SAN PEDRO-ALCINI/PINN BROS.:** A request to amend the development agreement and development schedule to allow a 12-month extension to 4 building allocations for FY2007-08 and 8 allocations for FY 2008-09. (APN 817-01-001)

**Recommendation:**

- 1) Open Public Hearing;
- 2) Adopt Resolution approving Development Agreement Amendment with recommendation to forward to the City Council for approval;
- 3) Adopt Resolution approving Development Schedule Amendment.

- 3) **DEVELOPMENT AGREEMENT AMENDMENT, DAA-07-01B/DEVELOPMENT SCHEDULE AMENDMENT, DSA 07-13B: MONTEREY-ALCINI/PINN BROS.:** A request to amend the project's development schedule and development agreement to allow a 12-month extension to 27 building allocations for FY2007-08 (total project 32 units). (APNS 817-01-062 & 063)

**Recommendation:**

- 1) Open Public Hearing;
- 2) Adopt Resolution approving Development Agreement Amendment with recommendation to forward to the City Council for approval;
- 3) Adopt Resolution approving Development Schedule Amendment.

## PLANNING COMMISSION AGENDA

JANUARY 13, 2009

PAGE 3

- 4) **ZONING AMENDMENT, ZA-08-19/USE PERMIT, UP-08-12: CONDIT-WOLFF:** The applicant is requesting approval to convert an existing restaurant site into the training center for the San Jose Earthquakes Major League Soccer team. The project will consist of remodeling the interior of the existing restaurant building for the training facility and improving the undeveloped portion of the site into a natural grass practice area and soccer field. Perimeter fencing around the grass fields, protective netting, and new freestanding signage is also proposed. The project site is 4.47-acres in size and is located at the southwest corner of Condit Road and San Pedro Ave. in a PD, Planned Development zoning district. A mitigated Negative Declaration is proposed. (APN 817-13-034)

**Recommendation:**

- 1) Open Public Hearing;
- 2) Recommend City Council adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- 3) Adopt Resolution recommending City Council approval of Zoning Amendment; and
- 4) Adopt Resolution recommending City Council approval of the Use Permit request.

- 5) **AMENDED BUILDING ALLOTMENT DISTRIBUTION FOR FISCAL YEAR 2010/11:**

**Recommendation:**

- 1) Review and approved a redistribution of the unused Downtown building allotment set-aside in the current competition for the fiscal year 2010/11 building allotment.
- 2) Discuss possible distribution of building allocations in subsequent RDCS competitions.

- 6) **REVIEW AND APPROVAL OF FINAL RDCS PROJECT SCORES:**

**Recommendation:** Adopt resolution approving project evaluations for the Small Project, Multi-family Rental and Open/Market Competitions.

### **TENTATIVE AGENDA FOR THE JANUARY 27, 2009 MEETING**

- DAA-05-13C (SD-05-14/MC-04-22): Jarvis-South Valley Developers
- DAA-05-04E (SD-05-06/MC-04-19): Main-Marrad
- DAA-05-02D (SD-05-02/MC-04-25): Cochrane-Lupine
- DAA-05-01D (SD-05-01/MC-04-26): Cochrane-Mission Ranch
- DAA-05-07E (SD-05-09/MC-04-27): Wright-Manana
- ZAA-04-01: Tilton-Glenrock
- DAA-04-08D (SD-04-16/MP-02-03): Tilton-Glenrock
- DSA-07-06C (SD-04-16/MP-02-03): Tilton-Glenrock
- DAA-04-09D (SD-07-02/MC-04-12): E. Dunne-Dempsey/Delco
- DAA-05-05D (SD-05-07/MC-04-14): E. Central-Delco/Hu
- DAA-05-08D (SD-05-10/MC-04-15): Church-Alcini/Old Orchard
- DAA-05-10C (SD-05-15/MC-04-21): Barrett-Syncon
- DAA-04-05C (SD-04-13/MP-04-13/MP-02-22): Barrett-Odishoo
- DAA-06-05A (SD-06-11/MC-05-06): E. Main-Ahlin
- DA-06-04 (SD-06-07/MC-04-04): Diana-Chan
- ZA-07-10: Ginger-Murray

## PLANNING COMMISSION AGENDA

JANUARY 13, 2009

PAGE 4

- DA-07-04 (ASD-07-06/MMC-04-09): Ginger-Murray
- DS-08-04 (ASD-07-06/MMC-04-09): Ginger-Murray
- ZA-08-06: Condit-Kubo
- ZAA-98-16B: Condit-Horizon Land/Ford Store

### ANNOUNCEMENTS:

### CITY COUNCIL REPORTS

### ADJOURNMENT

### SPEAKER CARD

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### NOTICE

### AMERICANS WITH DISABILITY ACT (ADA)

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

### NOTICE

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

### NOTICE

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

### NOTICE

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)*